

PROCEEDINGS.

of a

MILITARY COURT FOR THE
TRIAL OF WAR CRIMINALS.

held at

LUNEBURG, GERMANY,

on

SATURDAY, 6 OCTOBER, 1945,

upon the trial of

JOSEF KRAMER

and

44 Others.

EIGHTEENTH DAY.

Transcript of the Official
Shorthand Notes.

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(At 0930 hours the Court reassembles pursuant to adjournment, the same President, Members, and Judge Advocate being present.)

THE PRESIDENT: What is the next statement you propose to put in?

COL. BACKHOUSE: No. 221, Elisabeth Volkenrath.

(Deposition of Elisabeth Volkenrath is marked Exhibit 116, signed by the President and attached to the proceedings.)

COL. BACKHOUSE: "Statement of Elisabeth Volkenrath, S.S. Oberaufseherin. I am 26 years of age and come from Schonau near Badlandeck, Silesia. I am a married woman, my husband being in the S.S., and I have not heard of him for a long time. Before being called up into the S.S. I was a hairdresser. In 1939 I was called up to work in a munitions factory and on 1st October, 1941, was transferred to the S.S. I never actually became a member of the S.S. we merely wore the uniform and became supervisors at concentration camps.

"On joining the S.S. I was sent to Ravensbruck where I became an Aufseherin and was taught how to treat prisoners. We were told that we were not to talk to prisoners and our job was to take them to work and see that they didn't escape. I later went into the concentration camp at Ravensbruck where I worked under S.S. woman Langefeld and Commandant Koegel. In March, 1942, I was transferred to Auschwitz where I remained until 18th January, 1945. I then proceeded to Bergen-Belsen where I arrived after a long train journey on 5th February, 1945.

"On arrival at Auschwitz I was placed in charge of a working party sewing clothes. I later was placed in charge of the parcels department where Red Cross parcels from families were received for the prisoners. I always made it my duty to see that the parcels were delivered and those prisoners that worked under me can say that this is true. On 20th September, 1944, I took over a working camp in Auschwitz consisting of a cobblers shop and tailor's shop which were run for the benefit of the prisoners. I remained at this post until the camp was cleared. Whilst I was at Auschwitz the Commandants of the camp were Commandant Hoess, Liebehenschel and Baer. On the women's side there were S.S. women Langefeld, Mandel and Drechsel. Kramer was the Commandant at Berkenau from June or July, 1944, to December, 1944.

"I often heard about the gas chamber from prisoners but I never actually saw it although from the distance I have seen the crematorium. I have been present when selections were made from prisoners by the S.S. Doctors of those unfit for work. These people were all sent to Block 25 and to my knowledge they were never seen again. Obersturmfuhrer Muller always told us that these people were being sent away to recuperate. Whilst I was at Auschwitz the Camp was visited by Himmler and he saw the conditions that existed there.

"I have always been very strict but have never murdered anyone. I have boxed the ears of girls if they did anything wrong but anything I did was always on orders from Lagerfuhrer's Mandel and Drechsel. It was on the orders of Commandant Kramer that girls were brought to the office and made to make 'sport'. It was conducted by Camp 'Alteste'. This was a punishment for being in possession of things they should not have and consisted of running round the room, bending their knees and generally doing physical exercises. I have always tried as far as possible not to forget that I was a woman and a human being. I was never present when this took place and it only happened once in Block 2.

"The many deaths at Belsen were caused by lack of food and overcrowding. Prisoners were marched from other camps to Belsen with little or no food and arrived in an exhausted condition. I mentioned this to Kramer and Vogler. Kramer told me about the 20th March, 1944, that he made a report about the camp and as a result at the end of March, 1945, it was inspected by Pohl, Hoess and Verwaltungschef Burge and also Doctor Lolling who was head of all Doctors in Germany. Due to this inspection temporary barracks should have been built and a start was made in the women's camp at the end of March.

"I know things have been bad in these camps but they were also bad for us and we could do nothing about it. We were punished the same as the prisoners by money being stopped, up to 5 marks by Kramer, and confinement to Camp on orders from Berlin, and kept almost the same as prisoners ourselves. It is true that I have had to make prisoners on 'Appel' hold their hands above their heads but it was always on orders from others, this happened in Auschwitz on instructions from Mandel and Drechsel.

"It is my opinion that the man most responsible for the conditions at Auschwitz was Hoess as he was in charge of all camps in this area. Reichfuhrer Himmler is, of course, responsible for all concentration camps. At no time did I see any orders in writing relating to concentration camps.

"On arrival at Belsen I did not work for the first six weeks at all owing to the fact that I was ill. I then took charge of all S.S. women and received my orders direct from Commandant Kramer. (Signed) Volkenrath, Elisabeth.

"Certified that I have accurately translated the above statement from German to English and have read it over to Elisabeth Volkenrath in German, the said Elisabeth Volkenrath having signed it in my presence. (Signed) H.H. Alexander."

"Deposition of Captain Alfred James Fox, D.A.P.M. 86 S.I.S. Special Investigation Branch, Corps of Military Police, stationed in Ostend, sworn before me Major Geoffrey Smallwood (Major Legal Staff), an Officer of the Staff of the Judge Advocate General to the Forces.

"On 19th May, 1945, I visited Celle prison where I saw Elisabeth Volkenrath. I spoke to her, through the above-named interpreter, and she intimated that she wished to make a signed statement. I have recorded her statement which is attached and which she signed in my presence. (Signed) A.J. Fox.

"Sworn by me Captain Alfred James Fox this 21st day of May, 1945, at Belsen Camp, before me, Major Geoffrey Smallwood."

CAPT. STEWART: The next one is No. 226, statement of Aurdziej Antoni.

(Statement of Aurdziej Antoni is marked Exhibit 117, signed by the President and attached to the proceedings.)

CAPT. STEWART: "Provisional Government of the French Republic. Presidency D.G.E.R. Ministry of Justice. O.R.C.G. 205/05/P.(Group) On the 24th July, 1945, 16 hrs.45 at Hanover Prison Polizei-Prasidium. Before us, Captain Pipien, assisted by Serjeant Lefort, there appeared Aurdziej Antoni Aged 21 years, living at Polizei-Prasidium, who stated the following:

"I acknowledge having been 'Stubendienst' from 23rd March, 1945, until 15th April, 1945, in the camp at Bergen-Belsen. I had about 1200 prisoners under my orders. I acknowledge having beaten the prisoners on their arrival in my Block (12). I acknowledge having beaten a Pole, whose name I do not know, on the morning of 12.4.45 until his death ensued. I acknowledge having - with several of my comrades (3) amongst whom was one named Adam Bartchinski, 'Kapo', 1st Orderly (or first on duty) on the morning of 15.4.45 - beaten a Russian prisoner until he fell dead on the ground. We then immediately transferred his corpse to another Block. I acknowledge having assisted Kapo Adam in his thefts of money or jewels from the prisoners, Jews in particular, to whom we had promised an extra helping of soup by way of exchange. In the end, they received nothing but blows when they claimed it. (Signed) Aurdziej Antoni. (The above document read aloud in German in presence of interpreter and declared to be correct.)"

Then there was a following supplementary statement.

"The accused then made the following supplementary statements:
The Polish Jew, Adam Bartchinski, Kapo. Is orderly room, address unknown was entrusted with the handing out of food supplies. He wore a white armlet (or brassard) with the word 'Stubendienst' and often beat about 10 prisoners a day, either with a stick, an iron bar, or with a bludgeon, etc. This Pole never gave any food to the prisoners except against the delivery of jewels, gold, etc. Description: About 1 metre 75 (height), medium build, about 22 years of age, black hair, black eyes, round face, scar on the right side of face, running from the eye to the cheek.

"I also had two Polish comrades in this camp. Here are their names: Jan Polyt who was at Stocken and should be found there or at Diepholz. The other, whose Christian name was Stanislas, should be at Stocken Lager 21, or at Diepholz.

"There was also a Pole, whose name I do not know, working with the S.S. Kapo, who killed about 10 to 12 prisoners per day. I know that he presented himself at the Rathaus for the purpose of obtaining ration cards. He lives at Hanover (address unknown), but I know by sight the hospital where he was treated (for 1 month) as he had caught typhus. Description: About 27 years of age, burly figure, black hair, bronzed skin. Certified True Copy (Signed) (by or for) Captain Pipien."

COL. BACKHOUSE: The next one is 254, Josef Kramer again.

(Deposition of Josef Kramer is marked Exhibit 118, signed by the President and attached to the proceedings.)

COL. BACKHOUSE: "In the matter of War Crimes and Atrocities at Struthof Natzweiler, Auschwitz and Belson. Deposition of Josef Kramer, S.S. Hauptsturmfuhrer and Commandant of Belson Concentration Camp sworn before Lieutenant-colonel Leopold John Genn, Royal Artillery, Commanding No. 1 War Crimes Investigation Team.

"1. I relinquished command of Struthof Natzweiler in May, 1944, and handed over to Sturmbannfuhrer Hartjenstein. At this time and for at least a year previously Buck was commanding Schirmeck, but there was no official connection between Schirmeck and Struthof. There was a Gestapo officer attached to me during my period at Struthof; his name was Vochner and he was sent by the Gestapo at Stuttgart. According to the district allocation Struthof should have been, in my opinion, in Strassbourg Gestapo area but I believe that in any case Strassbourg Gestapo depended on Stuttgart.

"2. With reference to the orders I received to gas certain women and despatch them to Strassbourg University as sworn by me before Commandant Jadin of the French Army, I give the following details:- The orders I received were in writing signed by order of Reichsfuhrer Himmler by Gruppenfuhrer Blucks. As nearly as I can remember they stated that a special transport would arrive from Auschwitz and that the people on this transport were to be killed and their bodies sent to Strassbourg to Professor Hirt. It further said that I should communicate with Professor Hirt as to how the killing was to take place. This I did and was given by Hirt a container of gas crystals with instructions how to use them. There was no regular gas chamber in Struthof but he described to me how an ordinary room might be used. I do not know any more of the Professors concerned with Hirt but I do know that there was in one of the departments a Professor Bickerbach.

"3 The first time I saw a gas chamber proper was at Auschwitz. It was attached to the crematorium. The complete building containing the crematorium and gas chamber was situated in Camp No. 2 (Birkenau) of which I was in command. I visited the building on my first inspection of the camp after being there for three days, but for the first eight days I was there it was not working. After eight days the first transport, from which gas chamber victims were selected, arrived and at the same time I received a written order from Hoess, who commanded the whole of Auschwitz Camp, that

although the gas chamber and crematorium were situated in my part of the camp, I had no jurisdiction over it whatever. Orders in regard to the gas chamber were, in fact, always given by Hoess and I am firmly convinced that he received such orders from Berlin. I believe that had I been in Hoess's position and received such orders, I would have carried them out because even if I had protested it would only have resulted in my being taken prisoner myself. My feelings about orders in regard to the gas chamber were to be slightly surprised and wonder to myself whether such action was really right.

"4. In regard to conditions at Belsen, I say once more that I did everything I could to remedy them. In regard to the food, the prisoners throughout March and April, 1945, got their full entitlement, and in my opinion this entitlement was perfectly sufficient for the healthy prisoner but from the middle of February onwards sick people began to come in and I felt they should have more food. I sent my Messing N.C.O., Unterscharfuhrer Muller, to the food depots in Celle and Hanover but he was told that no further food could be issued because we were already getting out entitlement. I did in fact get some food from the food store in the Wehrmacht Camp at Belsen but it would have been no use my asking for more from them because they were not my correct authorised depot.

"5. In regard to accommodation, when I was ordered to take 30,000 more people in early April, when the Camp was already more than full I appealed to Lieutenant General Doineburg in the Kommandatur in the Wehrmacht Camp at Belsen and it was he who arranged for 15,000 prisoners to be lodged in the barracks in that Camp. He had to get special permission over the telephone to do this. I never appealed to the General for help on the food situation or any other difficulties because I knew that he would not have been able to help me in that he had no jurisdiction. I do not consider that I should have appealed to him because I knew that he could not have helped. Furthermore I do not believe that anybody in Germany could have altered the food entitlement for the prisoners in the Camp because I do not believe that the food was available. It surprises me very much to hear that there were large and adequate stocks of food in the Wehrmacht Camp. Nevertheless I still feel that an appeal to the General would have been useless.

"6. I have been told that some of my S.S. staff were guilty of ill-treatment and brutality towards the prisoners. I find this very difficult to believe and I would trust them absolutely. To the best of my belief they never committed any offences against the prisoners. I regard myself as responsible for their conduct and do not believe that any of them would have infringed my orders against ill-treatment or brutality.

"7. The Hungarian troops took over guard duties around the perimeter of my camp during the few days before the British arrived. I agree that during this period more shooting took place than was customary when the Wehrmacht were doing guards. I remember the incident on 15th April, 1945, in the late afternoon when I went with British Officers to the potato patch and was ordered to remove the dead body of a prisoner from that patch. I think it is wrong that this man should have been shot and have no doubt at all that it was either the Wehrmacht or the Hungarians who were responsible.

"8. The rifle range which is visible at the North West corner of my Camp was used fairly regularly by the Wehrmacht two or three days a week.

"Sworn by the said deponent Josef Kramer at Celle this 1st day of September, 1945 (Signed Jos. Kramer) before me (Signed) L.J. Genn. Lt. Col. R.A."

Then follow the usual certificates by Col. Genn and the interpreter.

With the exception of the fact that I, you will remember, agreed that Capt. Stewart could be cross-examined later if the defence wished it, that concludes the case for the prosecution.

MAJOR CRANFIELD: I have a few questions to ask.

CAPT. S.M. STEWART is recalled on his former oath and is cross-examined by MAJOR WINWOOD as follows:

Q. I I just want to ask two questions about the taking of Kramer's first statement. When you read it over to him in German was it read from a document in German or did you do it as you went along? A. As I went along.

Q. When he was given the English version to sign did he have time to glance through it? A. No.

MAJOR MUNRO: No questions.

Cross-examined by MAJOR CRANFIELD.

Q. Was the usual caution administered? A. Yes, as a matter of fact it was.

Q. As regards these death certificates do you put those in as genuine and correct documents? A. Certainly.

Cross-examined by CAPT. ROBERTS.

Q. You have been, I think, associated with this case throughout its preparation? A. Correct.

Q. Are you satisfied that all relevant documents relating to this case have been produced before the court?

COL. BACKHOUSE: I do not think that is a proper question. It is not a matter for Capt. Stewart to decide what to put before the court. That is a matter entirely for me to decide.

THE PRESIDENT: That is so. I do not think you can ask that question.

CAPT. BROWN: No questions.

CAPT. FIELDEN: No questions.

CAPT. CORBALLY: No questions.

CAPT. NEAVE: No questions.

CAPT. PHILLIPS: No questions.

LT. BOYD: No questions.

LT. JEDRZEJOWICZ: No questions.

THE PRESIDENT: We have not had the translation of the death certificates yet, we have only the originals.

MAJOR CRANFIELD: What I have had done for our own purposes is I have had the printed pro forma translated. The typed copy of each translation has been put in. I can supply copies of these.

THE PRESIDENT: You have got copies of these?

MAJOR CRANFIELD: Yes, page one is a translated copy of the German printed form. Page 2 are the details put in on each form of the death certificate.

THE PRESIDENT: Only the odd ones are material. Could the prosecution read out those?

COL. BACKHOUSE: If Capt. Stewart is handed the original documents he will read

them out.

THE WITNESS: Which one do you want me to read.

THE JUDGE ADVOCATE: I think we have got to hear some more about this. I think I would like to take a note about it. We only want the ones relating to the persons named in the charges.

THE PRESIDENT: Yes, which I think are the odd numbers. A. Yes.

THE JUDGE ADVOCATE: Will you give us them? A. The first one which bears the number 10/156 is: Bergen-Belsen. 5th March 1945. Marcel Freson de Montigny. Profession unknown. Nationality, French. Living at Bergen-Belsen. Died 4th March 1945, 1425 hours. The dead person was born on 2nd January 1899. The place of birth is unknown. Father unknown. Mother unknown. The dead person was not married. It again repeats as to whether or not he was married and had any children - unknown. This has been entered upon the oral report of Mathias Stetter, living at Bergen-Belsen. This person is known to the official signing this report and he has declared that he has first hand knowledge of the death of the person mentioned above. Road, found correct and signed: Mathias Stetter. Then it says: Bergen-Belsen 5/3/45 and signed. Below the thick black line it says: Cause of death - general weakness.

Q. You need not give us the framework, just give us the facts. A. I think it would help if I gave you the number of each one. The next is 10/135. Dated 4th March 1945. The Pupil Maurice van Eignsbergen. Religion unknown. Nationality Dutch. Died on 3rd March 1945, 1100. Born 16th July 1928 in Dan Haag. Father Eduard van Eignsbergen. Further details unknown. Mother Alida van Eignsbergen, born Huson. Further details unknown. Not married. Entered upon the oral statement of Rudolf Cheim. Living at Bergen-Belsen. That is signed in exactly the same way as the first one.

Q. Cause of death? A. Exhaustion. The next is 10/124. Dated 4th March 1945. Maurice de Moulenaar. Profession unknown. Belgian. Died 3rd March 1945. 1445 hours. Born 16th June 1918. Place of birth unknown. Father unknown. Mother unknown. Whether he was married and had any children unknown. Entered upon the oral statement of Mathias Stetter. Signed in exactly the same way as the first and second. Cause of death - general weakness. The next one: 7/151. Belsen 20th February 1945. Agricultural worker. Jan Markowski. Roman Catholic. Nationality Polish. Died 19th February 1945. 0955 hours. Born 1913 in Reszkowce. Father Jan Markowski, deceased. Mother Stefania Markowski nee Bromerau. Lives at Reszkowce. The dead person was married to Stanislaw Markowski, who lives in Reszkowce. This is entered upon the oral statement of Mathias Stetter. Signed in exactly the same way as the three previous ones. Cause of death is general weakness. The next one is 7/153. Teacher. Georg Johann Ferenz. Religion Roman Catholic. Nationality Polish. Died 19th February 1945. 1035 hours. The dead person was born on 24th April 1875 in Tarow. Father Roman Ferenz. Dead. Details unknown. Mother Klementina Ferenz nee Lubienicka. Dead. Particulars unknown. The dead person was married to Janina Ferenz nee Kowalozyk, living at Bielits. Entered upon the oral statement of Mathias Stetter. Signed in exactly the same way. Cause of death - general weakness. The next one 7/167. Cook. Salvatore Verdura. Religion R.C. Nationality Italian. Died 19th February 1945. 1550 hours. Born 23rd September 1893 in Catania. Father Domico Verdura. Dead. Particulars unknown. Mother Carmela Ventura, born Di Mauro. Dead. Further particulars unknown. The dead person was married to Maria Verdura born Fiorito. Living in Catania. Entered upon the oral statement of Mathias Stetter. Signed in the same way as the previous ones. Cause of death - tuberculosis. The last one has no number. It is dated 26th March 1945. Thorese Klee. No occupation. Religion Jewish. Nationality Honduras. Died 25th March 1945 at 0500 hours. Born 28th June 1977 in Schwerin. Father dead. Particulars unknown. Mother dead. Particulars unknown. She was married to A. Klee. Dead. Particulars unknown. Signed in the same way as the previous ones. The only difference is that before the signature in the second line of the first paragraph the letter "d" has been crossed out. She died from general weakness.

THE JUDGE ADVOCATE: Where was she born? A. Schwerin.

Q. Where is that? A. Germany.

Q. She is described in the charge sheet as a British National, Honduras.
A. That must have been by marriage or naturalisation.

THE JUDGE ADVOCATE: That is all in the charge?

COL. BACKHOUSE: Yes.

THE JUDGE ADVOCATE: Col. Backhouse, the President has just gone through the particulars of the first charge, and I think it is common ground that Hejmech Glinovjochy is in the wrong charge.

COL. BACKHOUSE: Yes.

THE JUDGE ADVOCATE: The evidence related to the second charge and not the first?

COL. BACKHOUSE: Yes.

THE JUDGE ADVOCATE: The ones we have not any recollection of at the moment are Sara Kohn and and Marla Konatkevicz.

COL. BACKHOUSE: I am afraid I cannot remember offhand who gave the evidence about Sara Kohn. She was the Hungarian girl. The statement is in one of the affidavits, I am not sure which.

THE JUDGE ADVOCATE: If you cannot help us you can dig it out and see if there is any evidence later on.

(Translations of seven death certificates are attached to Exhibit 11, signed by the President and attached to the proceedings)

COL. BACKHOUSE: Sara Kohn was not, in fact, shot by one of the people before the court, but I think it was nevertheless read. It is just possible it was left out because he was not before the court. I will make sure. You are quite right. It was left out. It is in the affidavit of Julia Tewah on page 158. Originally I intended to read that particular paragraph and when Jenner was not here because he was ill and was taken out of the charge that affidavit was left out. So that name should come out. There is no evidence before the court of that.

THE JUDGE ADVOCATE: There is no evidence about that?

COL. BACKHOUSE: No, Sir, the man who did it is not here.

THE JUDGE ADVOCATE: What about the other one, Marla Konatkevicz.

COL. BACKHOUSE: I am afraid that for the moment I cannot help you about that. I will find it before the end of the case.

THE JUDGE ADVOCATE: You might check up. We have had Rachella Silberstein.

COL. BACKHOUSE: Yes. We have had evidence from about four witnesses about her.

That concludes the (The witness withdraws)

COL. BACKHOUSE: That concludes the case for the prosecution.

THE PRESIDENT: Major Cranfield, I understand the method you propose to adopt

is that each defending officer should in turn, one after the other, get up on behalf of the four accused whom he is representing. That is the procedure?

MAJOR CRAWFIELD: Yes. Having opened the case for accused No.1 then call No.1's evidence, and so on.

THE PRESIDENT: Instead of interrupting you in the middle of your opening address, Major Winwood, on the four accused whom you represent I propose now to adjourn the court, so you will commence your defence of the four accused on Monday morning at 0930 hours.

MAJOR WINWOOD: Yes.

(At 1045 hours the court is adjourned until 0930 hours on Monday 8th October 1945)

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